

Brandon Jusi
 Inmate Reg No. 62739-054
 Defendant Pro Se
 Metropolitan Detention Center
 MDC - Brooklyn
 P.O. Box 329002
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FILED
 IN CLERK'S OFFICE
 U.S. DISTRICT COURT E.D.N.Y.
 ★ DEC 05 2019 ★
 LONG ISLAND OFFICE

Honorable Denis R. Hurley
 United States Senior District Court Judge
 United States District Court
 Eastern District of New York
 Long Island Courthouse
 100 Federal Plaza
 Central Islip, New York 11777

December 2, 2019

RECEIVED

DEC 05 2019

Re: Bank of America v. Pushing Grey EDNY PRO SE OFFICE
 (Case No. 2:11-CV-01191-DRH-ARL)

Dear Judge Hurley:

As the Court is aware, I am the defendant appearing Pro Se in the above listed case, and I am currently incarcerated at MDC-Brooklyn. As the Court is further aware, I have updated the Court regarding my current inability to obtain the bulk of the legal materials that I need to oppose Plaintiff's most recent Motion for Summary Judgment, which your Honor ordered that Plaintiff re-serve upon me. The Court is also very well aware of the fact that I was transferred from FCI Ft. Dix to MDC, and as a result the bulk of my legal documents (legal materials) have, to this day, NOT been made accessible to me. These are the very same materials (at least 4 Boxes of legal materials/documents),

that I need to oppose Plaintiff's Motion for Summary Judgment.

In addition, as the Court is aware, I require several documents from Steven Haffner, Esq., who requires a subpoena from this Court prior to releasing same to me. I have previously requested such a subpoena from this Court to no avail. The aforementioned boxes of legal materials, as well as the documents that Mr. Haffner has, are essential for me to oppose Plaintiff's motion.

It must be noted that among the various and many defenses that I have to defeat Plaintiff's Motion for Summary Judgment, is the fact that I was NEVER served with the Summons and Complaint in this case, as evidenced by the admission contained in the Affidavit of Service that is annexed as Exhibit "P" to Plaintiff's Motion, and established by the documents that are in my legal materials (that the BOP has to this day denied me access to). Likewise, the documents that are being withheld from me will also substantiate ~~that~~ many other merit filled defenses that I have to defeat Plaintiff's Motion.

It should also be noted that pursuant to an Order of the United States Court of Appeals for the Second Circuit, dated October 15, 2019 in the Appeal of the recent Criminal Case against me, I was given until December 3, 2019, to file my Appellant's Pro Se Reply Brief (Docket No. 17-3158). Therefore, it is

respectfully submitted that said Criminal Appeal before a Court Superior to this Court, takes priority, especially given the fact that said Order granting my adjournment request in that Appeal pre-dates your Honor's Order setting the opposition to Plaintiff's Motion to be served by today. Given my inability to access the bulk of my legal materials, I will be requesting additional time to perfect my appeal from the Second Circuit as well.

Accordingly, it is requested that I be granted at least a sixty (60) day adjournment to oppose Plaintiff's Motion for Summary Judgment, in order that I may attempt to obtain said documents and materials.

Should the court require any further information or have any questions, I may be reached via U.S. MAIL at the above listed address. Thank you for your time and understanding.

Respectfully Submitted
Brandon Lisi

Brandon Lisi

Inmate Reg. No. 62739-054

Defendant Pro Se

Enclosure

cc: John Wells, Esq.

(all other parties via ECF)

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 15th day of October, two thousand and nineteen.

United States of America,

Appellee,

v.

Brandon Lisi,

Defendant - Appellant.

ORDER


Docket No. 17-3158

Appellant, pro se, moves for an extension of 60 days to file his reply brief. He also requests an updated docket sheet for this appeal. The Government does not oppose the motion.

IT IS HEREBY ORDERED that the motion is GRANTED. Appellant's reply brief is due December 3, 2019.

For the Court:
Catherine O'Hagan Wolfe,
Clerk of Court

Catherine O'Hagan Wolfe



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Metropolitan Detention Center Brooklyn
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Brooklyn, NY 11232

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